

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FAOUZI ABDUL-MENHEM JABER,

Plaintiff,

-against-

CHRISTINA HANLEY; ANDREA LEE
SURRATT; COLLEEN MCMAHON;
SABRINA P. SHROFF,

Defendants.

20-CV-7347 (LLS)

ORDER DIRECTING PAYMENT OF FEE
OR AMENDED IFP APPLICATION AND
PRISONER AUTHORIZATION

LOUIS L. STANTON, United States District Judge:

Plaintiff, currently incarcerated at the Federal Correctional Complex in Coleman, Florida, brings this action *pro se*.¹ To proceed with a civil action in this Court, a prisoner must either pay \$400.00 in fees – a \$350.00 filing fee plus a \$50.00 administrative fee – or, to request authorization to proceed *in forma pauperis* (IFP), that is, without prepayment of fees, submit a signed IFP application and a prisoner authorization. *See* 28 U.S.C. §§ 1914, 1915.

If the Court grants a prisoner’s IFP application, the Prison Litigation Reform Act requires the Court to collect the \$350.00 filing fee in installments deducted from the prisoner’s account. *See* 28 U.S.C. § 1915(b)(1). A prisoner seeking to proceed in this Court without prepaying fees must therefore authorize the Court to withdraw these payments from his account by filing a “prisoner authorization,” which directs the facility where the prisoner is incarcerated to deduct the \$350.00 filing fee² from the prisoner’s account in installments and to send to the Court

¹ On September 29, 2020, the Court received Plaintiff’s amended complaint.

² The \$50.00 administrative fee for filing a civil action does not apply to persons granted IFP status under 28 U.S.C. § 1915.

certified copies of the prisoner's account statements for the past six months. *See* 28 U.S.C. § 1915(a)(2), (b).

Plaintiff submitted a check, but it was not for the correct amount and has therefore been returned to him. Within thirty days of the date of this order, Plaintiff must either pay the \$400.00 in fees or submit the attached amended IFP application and prisoner authorization forms. If Plaintiff submits the amended IFP application and prisoner authorization, they should be labeled with docket number 20-CV-7347 (LLS).³

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. No summons shall issue at this time. If Plaintiff complies with this order, the case shall be processed in accordance with the procedures of the Clerk's Office. If Plaintiff fails to comply with this order within the time allowed, the action will be dismissed.

SO ORDERED.

Dated: September 30, 2020
New York, New York

Louis L. Stanton
Louis L. Stanton
U.S.D.J.

³ Plaintiff is cautioned that if a prisoner files an action that is dismissed as frivolous or for failing to state a claim, the dismissal is a "strike" under 28 U.S.C. § 1915(g). A prisoner who receives three "strikes" cannot file actions *in forma pauperis* as a prisoner, unless he is under imminent danger of serious physical injury, and must prepay the full filing fee at the time of filing any new action.